

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, FEBRUARY 28 AND MARCH 1, 2011
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

REPORTING THE RESULTS OF THE CLOSED SESSION MEETING

Only items that can be disclosed are reported out in the Open Session of the regular City Council Meeting. Public comment on Closed Session items are taken in Open Session. Please refer to the City Clerk’s minutes for Open Session for more information. Chief Deputy City Attorney Mary Nuesca reports the results of the Closed Session Meeting of February 28 and March 1, 2011, as follows

CLOSED SESSION MEETING FOR MONDAY, FEBRUARY 14, 2011

(Closed Session Items were heard on Tuesday, March 1, 2011.)

CLOSED SESSION MEETING FOR TUESDAY, MARCH 1, 2011

Present: Mayor Sanders, Council President Young, Council President Pro Tem Faulconer, and Councilmembers Lightner, DeMaio, and Alvarez

Absent: Councilmember Gloria – Dist. 3 (Absent for CS-2)
Councilmember Zapf – Dist. 6 (Absent for CS-2)
Councilmember Emerald - Dist. 7 (Absent for the meeting.)

CLOSED SESSION ITEMS:

Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

**CS-1 *San Diego Municipal Employees’ Association, et al. v. City of San Diego, et al.*
San Diego Superior Court Case No. 37-2008-00096145-CU-BC-CTL**

DCA Assigned: W. Chung

Report: Nothing to report

CS-2 Lawrence Fournier, et al. v. City of San Diego

San Diego Superior Court Case No. 37-2009-00093619-CU-PO-CTL

DCA Assigned: C. Richardson

Motion: Authorize City Attorney to file an appeal.
Moved: Councilmember Lightner - Dist. 1
Seconded: Council President Pro Tem Faulconer – Dist. 2
Vote: 5 to 0 [Passed] with Councilmembers Gloria, Zapf, and Emerald absent
Report:: This item was reported out by Chief Deputy City Attorney Mary Nuesca
on Tuesday, March 1, 2011, @5:22 p.m.

Today, in Closed Session, the City Council voted on Closed Session Item No. 2, Lawrence Fournier, et al. v. City of San Diego, San Diego Superior Court Case No. 37-2009-00093619-CU-PO-CTL, authorizing the City Attorney to file an appeal. This matter arises from a property damage claim for a sewer back up in the Fournier's home.

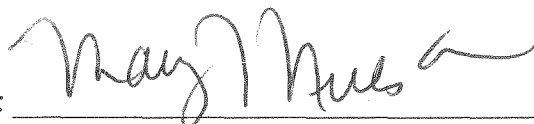
The motion passed 5 to 0 with Councilmembers Gloria, Zapf, and Emerald absent.

Conference with Legal Counsel - initiation of litigation, pursuant to California Government Code section 54956.9(c):

CS-3 Number of Cases: One

Report: Nothing to report

REPORTED BY:



Mary T. Nuesca
Chief Deputy City Attorney